

Message

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**From:** Wise, Allison [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=763A1079917346D1A4F504DC8BF5C108-WISE, ALLISON]  
**Sent:** 5/28/2019 10:42:18 PM  
**To:** Dennis, Allison [Dennis.Allison@epa.gov]  
**Subject:** Re: URGENT: FW: desk statement: 404 assumption (DRAFT)

Bryan was handling this so I pinged him.

A

Sent from my iPhone

On May 28, 2019, at 6:15 PM, Dennis, Allison <[Dennis.Allison@epa.gov](mailto:Dennis.Allison@epa.gov)> wrote:

I'm asking my program folks too. Will share what I learn .

Sent from my iPhone

On May 28, 2019, at 6:09 PM, Jenkins, Brandi <[Jenkins.Brandi@epa.gov](mailto:Jenkins.Brandi@epa.gov)> wrote:

First I'm hearing of this. We'll follow up and get back to you.

Brandi

Sent from my iPhone

On May 28, 2019, at 5:38 PM, Dennis, Allison <[Dennis.Allison@epa.gov](mailto:Dennis.Allison@epa.gov)> wrote:

Will take a quick look. Do you know what prompted the need for a statement here ?

FYI- I'm on my commute home.

Sent from my iPhone

Begin forwarded message:

**From:** "Goodin, John" <[Goodin.John@epa.gov](mailto:Goodin.John@epa.gov)>  
**Date:** May 28, 2019 at 5:36:21 PM EDT  
**To:** "Dennis, Allison" <[Dennis.Allison@epa.gov](mailto:Dennis.Allison@epa.gov)>, "Forsgren, Lee" <[Forsgren.Lee@epa.gov](mailto:Forsgren.Lee@epa.gov)>  
**Cc:** "Frazer, Brian" <[Frazer.Brian@epa.gov](mailto:Frazer.Brian@epa.gov)>, "Eisenberg, Mindy" <[Eisenberg.Mindy@epa.gov](mailto:Eisenberg.Mindy@epa.gov)>, "McDavit, Michael W." <[Mcdavit.Michael@epa.gov](mailto:Mcdavit.Michael@epa.gov)>, "Aguirre, Janita" <[Aguirre.Janita@epa.gov](mailto:Aguirre.Janita@epa.gov)>, "Spraul, Greg" <[Spraul.Greg@epa.gov](mailto:Spraul.Greg@epa.gov)>, "Connors, Sandra" <[Connors.Sandra@epa.gov](mailto:Connors.Sandra@epa.gov)>, "Gettle, Jeaneanne" <[Gettle.Jeaneanne@epa.gov](mailto:Gettle.Jeaneanne@epa.gov)>  
**Subject:** URGENT: FW: desk statement: 404 assumption (DRAFT)

Lee/Allison—can you give Region 4 any comments/sign-off here? See draft statement immediately below. This looks similar to what I recall from the end of last year. Copying Jeaneanne to keep her in the loop real time.

Thanks,  
John

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**From:** Gettle, Jeaneanne  
**Sent:** Tuesday, May 28, 2019 4:46 PM  
**To:** Goodin, John <[Goodin.John@epa.gov](mailto:Goodin.John@epa.gov)>  
**Subject:** Fwd: desk statement: 404 assumption (DRAFT)

Calling you on this.

Sent from my iPhone

Begin forwarded message:

**From:** "Zapata, Cesar"  
<[Zapata.Cesar@epa.gov](mailto:Zapata.Cesar@epa.gov)>  
**Date:** May 28, 2019 at 4:29:36 PM EDT  
**To:** "Gettle, Jeaneanne"  
<[Gettle.Jeaneanne@epa.gov](mailto:Gettle.Jeaneanne@epa.gov)>  
**Subject:** FW: desk statement: 404  
assumption (DRAFT)

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**From:** Myers, Bryan  
**Sent:** Tuesday, May 28, 2019 4:22 PM  
**To:** Zapata, Cesar  
<[Zapata.Cesar@epa.gov](mailto:Zapata.Cesar@epa.gov)>  
**Subject:** Re: desk statement: 404  
assumption (DRAFT)

Would you be ok with this response:

**Ex. 5 Deliberative Process (DP)**

## Ex. 5 Deliberative Process (DP)

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**From:** Zapata, Cesar  
**Sent:** Tuesday, May 28, 2019 3:34:40 PM  
**To:** Myers, Bryan  
**Subject:** FW: desk statement: 404 assumption (DRAFT)

I understand Jeaneanne talked to you. Let me know if you have any questions.

César A. Zapata

Deputy Director

Water Division

United States Environmental  
Protection Agency, Region 4

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**From:** McGill, Thomas  
**Sent:** Tuesday, May 28, 2019 1:23 PM  
**To:** Zapata, Cesar  
<[Zapata.Cesar@epa.gov](mailto:Zapata.Cesar@epa.gov)>  
**Cc:** Calli, Rosemary  
<[Calli.Rosemary@epa.gov](mailto:Calli.Rosemary@epa.gov)>  
**Subject:** FW: desk statement: 404 assumption (DRAFT)

Cesar – Below is a desk statement for assumption that I believe was drafted at a high level, and from my perspective it remains relatively up to date. Tom

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**From:** McGill, Thomas  
**Sent:** Tuesday, September 4, 2018  
1:30 PM  
**To:** Lincoln, Larry  
<[Lincoln.Larry@epa.gov](mailto:Lincoln.Larry@epa.gov)>; Walker,  
Mary <[walker.mary@epa.gov](mailto:walker.mary@epa.gov)>;  
Gettle, Jeaneanne  
<[Gettle.Jeaneanne@epa.gov](mailto:Gettle.Jeaneanne@epa.gov)>  
**Cc:** Harris-Young, Dawn <[Harris-Young.Dawn@epa.gov](mailto:Harris-Young.Dawn@epa.gov)>; Bragan,  
Mary Jo <[Bragan.Maryjo@epa.gov](mailto:Bragan.Maryjo@epa.gov)>;  
Zapata, Cesar  
<[Zapata.Cesar@epa.gov](mailto:Zapata.Cesar@epa.gov)>; Calli,  
Rosemary  
<[Calli.Rosemary@epa.gov](mailto:Calli.Rosemary@epa.gov)>; Purify,  
Johnnie <[Purify.Johnnie@epa.gov](mailto:Purify.Johnnie@epa.gov)>  
**Subject:** RE: desk statement: 404  
assumption (DRAFT)

Larry and Dawn – Please see the suggested edits below in red text. I also understand that OW staff will be following-up with Allison Dennis regarding the language below regarding the 2<sup>nd</sup>-to-last bullet on rulemaking. If you have any questions please let me know. Tom

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**From:** Lincoln, Larry  
**Sent:** Monday, September 3, 2018  
10:15 AM  
**To:** Walker, Mary  
<[walker.mary@epa.gov](mailto:walker.mary@epa.gov)>; Gettle,  
Jeaneanne  
<[Gettle.Jeaneanne@epa.gov](mailto:Gettle.Jeaneanne@epa.gov)>;  
McGill, Thomas  
<[McGill.Thomas@epa.gov](mailto:McGill.Thomas@epa.gov)>  
**Cc:** Harris-Young, Dawn <[Harris-Young.Dawn@epa.gov](mailto:Harris-Young.Dawn@epa.gov)>

Young.Dawn@epa.gov>

**Subject:** Rae: desk statement: 404  
assumption (DRAFT)

All,

Allison Dennis of OW contacted me on Friday regarding 404 assumption to coordinate and provide information in anticipation of Florida's filing.

Please see first draft of initial desk statement below which incorporates information OW provided to the White House along with input from WPD (lot of WH interest).

OW is discussing next steps which will likely include a press release from either HQ or the region once we complete review of the FDEP package.

Sent from my iPhone

Begin forwarded message:

**From:** "Lincoln, Larry"  
<[Lincoln.Larry@epa.gov](mailto:Lincoln.Larry@epa.gov)>

**Date:** August 31,  
2018 at 3:09:51 PM  
EDT

**To:** "Dennis, Allison"  
<[Dennis.Allison@epa.gov](mailto:Dennis.Allison@epa.gov)>

**Subject:** RE: desk  
statement: 404  
assumption (DRAFT)

Allison,

Here's a first draft.

## **Ex. 5 Deliberative Process (DP)**

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## **Ex. 5 Deliberative Process (DP)**

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## **Ex. 5 Deliberative Process (DP)**

*Larry*

Director  
Office of External  
Affairs  
U.S. Environmental  
Protection Agency,  
Region 4  
Phone: (404) 562-  
8304  
Email:  
[lincoln.larry@epa.gov](mailto:lincoln.larry@epa.gov)

<https://www.epa.gov/aboutepa/about-epa-region-4-southeast>  
Follow Region 4 on  
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[www.twitter.com/EPASoutheast](https://www.twitter.com/EPASoutheast)  
And Facebook:  
[www.facebook.com/eparegion4](https://www.facebook.com/eparegion4)

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**From:** Lincoln, Larry  
**Sent:** Thursday,  
August 30, 2018  
11:49 AM  
**To:** Dennis, Allison  
<[Dennis.Allison@epa.gov](mailto:Dennis.Allison@epa.gov)>  
**Subject:** FW: desk  
statement: 404  
assumption

FYI

*Larry*

Director  
Office of External  
Affairs  
U.S. Environmental  
Protection Agency,  
Region 4  
Phone: (404) 562-  
8304  
Email:  
[lincoln.larry@epa.gov](mailto:lincoln.larry@epa.gov)  
<https://www.epa.gov/aboutepa/about-epa-region-4-southeast>  
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[www.twitter.com/EPASoutheast](https://www.twitter.com/EPASoutheast)

And Facebook:  
[www.facebook.com/  
eparegion4](http://www.facebook.com/eparegion4)

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**From:** Harris-Young,  
Dawn  
**Sent:** Thursday,  
August 23, 2018 9:01  
AM  
**To:** Lincoln, Larry  
<[Lincoln.Larry@epa.gov](mailto:Lincoln.Larry@epa.gov)>  
**Subject:** FW: desk  
statement: 404  
assumption

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**From:** McGill, Thomas  
**Sent:** Wednesday,  
August 22, 2018  
10:39 PM  
**To:** Harris-Young,  
Dawn <[Harris-Young.Dawn@epa.gov](mailto:Harris-Young.Dawn@epa.gov)>; Bragan, Mary Jo  
<[Bragan.Maryjo@epa.gov](mailto:Bragan.Maryjo@epa.gov)>  
**Subject:** desk  
statement: 404  
assumption

Dawn – I spoke with  
Jeaneanne, and she  
emphasized with all  
of the various moving  
pieces a parts on 404  
assumption, it is not  
critical that we have a  
desk statement on  
404 assumption until  
FDEP has submitted  
their package, which  
will not occur prior to  
Sep 1. In the  
meantime, here is  
some basic

information regarding  
where we are at this  
time.

The Clean Water Act  
section 404  
authorizes the Corps  
of Engineers to  
administer the  
permitting program  
for the discharges of  
dredge or fill  
material. The Clean  
Water Act also  
provides States and  
Tribes the ability to  
assume the authority  
to administer this  
permitting program,  
subject to the  
approval by the EPA.  
For any State or Tribe  
that is interested in  
exploring or pursuing  
assumption of the  
404 program, the EPA  
will prioritize giving  
technical support to  
such States or Tribes  
to develop a program  
consistent with  
federal requirements.  
The State of Florida  
has notified the EPA  
of their interest in  
pursuing 404  
assumption, and  
accordingly EPA has  
been answering  
questions and  
providing information  
to assist the State  
with developing a  
program to be  
consistent with  
federal requirements.  
Upon receipt of an  
official submission  
from Florida

requesting  
assumption of the  
404 program, the EPA  
will review and take  
action on such a  
submission consistent  
with the Clean Water  
Act and its  
implementing  
regulations.

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**From:** Harris-Young,  
Dawn  
**Sent:** Wednesday,  
August 22, 2018  
12:25 PM  
**To:** McGill, Thomas  
<[McGill.Thomas@epa.gov](mailto:McGill.Thomas@epa.gov)>  
**Subject:** Examples -  
Desk statements

Attached.

Dawn Harris Young  
Public Affairs  
Specialist  
U.S. Environmental  
Protection Agency,  
Region 4  
Office of External  
Affairs  
404-562-8421 (office)  
[harris-  
young.dawn@epa.gov](mailto:harris-young.dawn@epa.gov)  
[v  
https://www.epa.gov  
/aboutepa/about-  
epa-region-4-  
southeast](https://www.epa.gov/aboutepa/about-epa-region-4-southeast)  
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ASoutheast](https://www.twitter.com/EPASoutheast)  
and Facebook:  
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eparegion4](https://www.facebook.com/eparegion4)



